

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RONALD E. POTTER,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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No. 3:07-0139
(Crim. No. 3:04cr0062)
Judge Wiseman

ORDER

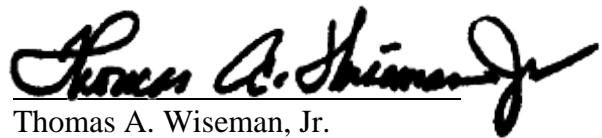
The Court has before it a motion to vacate, set aside, or correct a sentence filed by a *pro se* prisoner pursuant to 28 U.S.C. § 2255. (DE # 1)

As provided by the Memorandum entered contemporaneously herewith, the motion and record of prior proceedings clearly show that the movant is not entitled to relief. Because the motion is without merit, it is **DENIED** and this action is **DISMISSED**. Rules 8(a) – Section 2255 Proceedings.

Should the movant file a timely notice of appeal from this Order, such notice shall be docketed as both a notice of appeal and an application for a certificate of appealability, 28 U.S.C. § 2253(c); Rule 22(b), Fed. R. App. P.; *see Slack v. McDaniel*, 529 U.S. 473, 483 (2000), which will **NOT** issue for the reasons set forth in the Court's Memorandum.

Entry of this Order shall constitute the judgment in this action.

It is so **ORDERED**.



Thomas A. Wiseman, Jr.
Senior United States District Judge